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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,617	08/31/2001	Yasufumi Tsumagari	213473US2S	9062
22850	7590	01/26/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			DUNN, MISHAWN N	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/942,617	<b>Applicant(s)</b> TSUMAGARI ET AL.	
	<b>Examiner</b> Mishawn N. Dunn	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 10, 11, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Tagawa et al. (US Pub. No. 20050010795).
3. Consider claim 1. Tagawa et al. teaches an information recording apparatus comprising: generation means for generating manager information representing a correspondence between a compressed content and a program for expanding the content (pg. 4, para. 0071 and 0074; fig. 4); and recording means for recording the content, program, and manager information on an information recording medium (pg. 9, para. 0126 and 0129; fig. 8).
4. Consider claim 11. Tagawa et al. teaches an information reproduction apparatus comprising: read means for reading out, from an information recording medium (pg. 3, para. 0062; fig. 2), manager information representing a correspondence between a compressed content and a program for expanding the content and reading out the content and program on the basis of the manager information (pg. 4, para. 0071 and

0074; fig. 4); and reproduction means for expanding and reproducing the content on the basis of the program read by said read means (pg 6, para. 0089; fig. 2).

5. Method claims 10 and 20 are rejected using similar reasoning as the corresponding apparatus claims above.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-9, 12-19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa et al. (US Pub. No. 20050010795).

8. Consider claims 2, 6, 12, and 16. Although Tagawa et al. does not specifically disclose an apparatus wherein the information recording medium comprises a content recording area for recording the content, a program recording area for recording a plurality of programs corresponding to a plurality of compression schemes together or separately, and a manager information recording area for recording the manager information, Tagawa does disclose attribute and management information, which is recorded to the medium. Examiner takes official notice that it is well known in the art to have specific areas for recording various data (i.e. content, programs, headers, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, to modify Tagawa et al. by recording the content,

compression schemes and manager information in specific recording areas to record/reproduce data more efficiently.

9. Consider claims 3-5, 7-9, 13-15, and 17-19. Tagawa et al. discloses that manager information includes recording general information of the content (figs. 4, 5, and 18), information representing a compression scheme of the content and presence of a program corresponding to a compression scheme (pg 9-10, para. 0134), information representing a recording start position of the program for expanding the content (fig. 18).

Tagawa et al. does not specifically disclose that the manager information recording area includes a content relational information recording area for recording information related to the program based on the content or to a recording scheme of the content, and information representing a size of the program for expanding the content, and said recording means records the manager information in the content relational information recording area included in the manager information recording area. Examiner takes official notice that it is well known in the art to have specific areas for recording various data (i.e. content, programs, headers, etc.). In addition, information representing the size of the decode program would be known in order to store it on the disk. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, to modify Tagawa et al. by having a recording area that has information relating to the decode program and compressed content or recording scheme of the content and information representing a size of the decode program to proficiently record/reproduce.

10. Medium claim 21 is rejected using similar reasoning as the corresponding apparatus claim above.

***Allowable Subject Matter***

11. Claim 22 allowed.

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***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. US Pub. No. 20050289617.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mishawn N. Dunn whose telephone number is 571-272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mishawn Dunn  
January 13, 2006

  
ROBERT CHEVALIER  
PRIMARY EXAMINER